

# City Council Minutes

April 8, 2002

The Council of the City of Milton-Freewater met in regular session on April 8, 2002 in the council chambers of city hall at 7:00 p.m.

The following members were present: Mayor Lewis Key, Councilors Saager, Lyon, Richards, Kelley and Stewart. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Public Works Superintendent Howard Moss, and Police Sergeant Darren Richman.

Citizens present were Pat Wedin, John Short, Ellen DeGross, Curtis Walter, Merle Sherman, Charlie Good, Mildred Lyon, Keith Woods, Bryan Traylor, Janelle Woollen, Josh Grant, Karen Bartlett and others.

Representing the press were Kathy Korengal of the Union Bulletin, Jennifer Hemmingsen of the East Oregonian, Jeff Durham of the Blue Mountain Pioneer, and Dennis Widmer of the Valley Herald.

Mayor Lewis Key proclaimed April 2002 to be "Sexual Assault Awareness Month", stating that all citizens are affected by this form of violence, either directly or indirectly.

Consent Calendar Items: Councilor Herb Saager clarified that the Yantis Park Tennis Courts are actually named after a man, Mel Bennett, and the tennis courts are named and should be referred to as Bennett Tennis Courts.

Councilor Debbie Richards moved to approve the minutes of the March 25<sup>th</sup> council meeting with the corrections Councilor Saager suggested. Councilor Saager seconded the motion and was passed unanimously.

Mayor Key announced that this was the opportunity for citizens to approach the council. None did.

## NEW BUSINESS:

Consideration of location of proposed Skate Park. Public Works Superintendent Howard Moss presented information provided in the Fact Sheet stating that a number of locations have been suggested by staff, the Recreation Committee and other groups. Six possible locations are mentioned on the Fact Sheet. The vacant slab adjacent to the Merchants Park at NW 4th and Main may be a good location, but that would not be grant eligible through Bureau of Outdoor Recreation because it is not owned by a public entity, although we could acquire it. The assessed value may be more than we could budget. Further, there are no restrooms available. Freewater Park Tennis Courts may be a good location for either a temporary or permanent location, as well as the vacant area on the east side of the park. Mr. Moss suggested that using Freewater Park may be a good location for the Skate Park because parking already exists on the east side as well as on 9<sup>th</sup> Street and the park is not fully used at this time and locating the Skate Park there may get this parked used as it was intended. Other locations are the American Fine Foods ball field at Walnut and 11<sup>th</sup> as well as Yantis Park east of the legion field/tennis court parking lot. The area east of the legion field is now owned by Bern Bliss, but may be acquired. Mr. Moss further stated that if funding sources come through as anticipated to the Bureau, grant applications may be available in January or February of next year. At this time the

City has \$10,000 in the general fund to go specifically towards the Skate Park. With our \$10,000.00 and \$50,000 grant money along with the fund raisers, this park could become a reality.

Councilor Dick Stewart asked if residents east of the legion field had been polled to determine their thoughts of having a Skate Park in their immediate location. Mr. Moss said that had not been done at this time. Councilor Stewart also asked that a survey be done in the area surrounding Freewater Park.

Councilor Saager questioned the information found in a newspaper article requiring a park in Walla Walla to have soft surfaces such as wood shavings versus hard asphalt. Mr. Moss said he had read the article too with great interest. Mr. Moss further stated our signs would suggest they wear personal protective gear.

Councilor Orrin Lyon questioned the boundaries of Freewater Park. Mr. Moss said that the City had tried for two years to obtain a right-of-way from the Railway, but without success. The City took a bold step and built the fence there anyway and right now that is the boundary. Councilor Lyon further asked about the land north of the railway. Mr. Moss said that there wasn't much north of the railway.

Bryan Traylor, Co-chair of the Skate Park Sub-Committee spoke next. This committee is a sub-committee of the Recreation Committee and is comprised of both adults and youth. Mr. Traylor said the primary task for this committee was to raise funds for the Skate Park. The Spaghetti Feed was successful with funds of \$1,500.00 being raised.

Now they are sponsoring a raffle, results of which will be in by May and a Dance/Concert in late April along with a car wash scheduled in May. Mr. Traylor felt they were doing what was required of them. Mr. Traylor mentioned the committee was not responsible for the placement of the park. Mr. Traylor suggested the youth involved with this endeavor were not as patient as the adults. They want something now, and Mr. Traylor further added that they felt the tennis courts at Freewater Park were the best solution with an already poured slab of concrete. Yet, Mr. Traylor also stated he did not feel this was the best permanent solution. Mr. Traylor also feels that any temporary solution only prolonged any permanent solution. A point that Mr. Traylor made was that the temporary modulars for the Skate Park are very expensive. Councilor Debbie Richards questioned how large the facility really needed to be, especially when referencing the example park in College Place, Washington. Mr. Traylor suggested that the space within the tennis court, which he thought was about 60 ft. by 100 ft., could be adequate, but the space could also be double that. Funds available will dictate the size. Councilor Richards also asked about competition and Mr. Traylor explained that the youth want a highly competitive park where competitions may be held. Councilor Richards then stated that she knew the competitions held in College Place were usually through the weekends and her concern was the possibility of interference with church services. Mr. Traylor said he did not see in his vision a competition-level park constructed here in Milton-Freewater.

Janelle Woollen, 402 Broadway, spoke about the Freewater Park tennis courts. Ms. Woollen said that this is just one court and as a tennis player, she feels the court is underused as a tennis court, but is available to place the temporary equipment and get the kids skating. Further, she said she wanted to see the temporary solution evolve into a permanent solution. Ms. Woollen also feels the general fund is stretched

and the recreation committed is asking for the same monies from this fund. She would like to find a way for funds to be drawn into Parks and Recreation perhaps through a taxing district. Instead of looking for state grants, we should have \$20,000 to match. A taxing district would draw funds from everyone in the community versus the money coming from the same few for raffles and car washes.

Councilor Richards questioned Public Works Superintendent Howard Moss about the use of Freewater Park, asking if the street project this summer would have an impact. Mr. Moss said the street project would happen in September or October, but said the street project began further north of Freewater Park and that there wouldn't be any impact.

Councilor Dick Stewart stated he was all for the Skate Park, but he feared that if a temporary park was positioned at the Freewater Park tennis courts, that it would stay there and did not feel this was the desired solution.

Councilor Saager suggested the consideration be tabled until more input could be brought back to the council. Further, Councilor Saager said he supported the youth that have used his driveway and street, stating they were very cautious and respectful.

Councilor Debbie Kelley said there was a meeting on April 16<sup>th</sup> to discuss the Skate Park and that council may get more input from that meeting rather than to schedule any more meetings.

Bryan Traylor said the meeting on April 16<sup>th</sup> could be a place to receive public input, but he likes to protect this group because he does not know the process well enough to know whether the council is the entity to receive public input or whether it is the Recreation Committee that should receive public input. All at once, several on the council said it is the Recreation Committee that should receive the input.

The meeting, however, is public and scheduled on April 16<sup>th</sup> here in the council chambers at 7:00 p.m.

Bryan Traylor said their committee would perform a survey in the surrounding neighborhoods, but that the surveys could not be completed by the next Tuesday meeting.

Councilor Kelley said she was concerned about the results that may come from a survey. Councilor Kelley works with youth and was familiar with the process in College Place and she said the success formula is to involve the youth from the planning level to the maintenance level. In College Place the youth are involved with fund raisers, clean-up, and patrolling themselves along with their parents that participate with their kids activities. Councilor Kelley further said she was not in favor of removing a facility to add another, but that she was in favor of developing our Skate Park and mentioned her appreciation to the youth who attended this council meeting.

Councilor Richards responded to Janelle Woollen's comments about recurring funds for entities such as a recreation district. Councilor Richards said she was sure this would be visited during the next fiscal year.

It was the consensus of the city council to table this discussion until the next meeting.

Resolution No. 1879 Authorizing signature to Library District revised agreement. City Manager Delphine Palmer addressed this issue stating the contract was revised to include standards for all libraries in our district to abide by. This will make our library

district consistent with the Oregon Library Association Standards for Oregon Public Libraries.

Ken Reading, District Library Director, said that during the first eighteen (18) years, the library district followed the old Oregon Library Association Standards. With eleven (11) cities in the district, eight (8) have signed the agreement. This new agreement addresses gaps in service such as staffing and library hours. Mr. Reading further said that he felt the agreement fair.

Councilor Kelley addressed Mr. Reading asking if the City library budget was short, would the County would step in and show us how to allocate funds. Mr. Reading clarified that our City Library Director Bob Jones would probably do the work based on the Oregon Library Standards.

Assistant City Manager Linda Hall asked if we could count towards full-time staff the volunteers that have historically given their time. Mr. Reading said the District does not want to discourage volunteers, but said that when there were gaps, to present a plan to the board that shows some progress.

City Manager Delphine Palmer stated that each department head has their own operational goals and that the new standards would aid in the operational process.

Councilor Saager said that he felt this was a good proposal or resolution, but he also stated he felt that the City Manager should administer any decision made as a control element.

Councilor Saager moved to adopt Resolution No. 1879. Councilor Kelley seconded the motion. The motion passed with yes votes from Councilors Kelley, Lyon and Saager, and no votes from Councilors Stewart and Richards.

Councilor Richards questioned the budget impact of this resolution stating she felt there would be one, perhaps not immediate, but eventually there would be an impact and she did not feel comfortable yet. Councilor Richards further questioned the process, asking if an affirmative vote today meant that \$X.XX amount of dollars would have to be raised over the next two or three fiscal years. City Manager Delphine Palmer answered saying that if we were half a position short, this budget increase would be needed during the next fiscal year. Ken Reading clarified by saying when a need arises, to submit a plan to the board. Mr. Reading also said there were a variety of ways to meet the financial challenges. City Manager Delphine Palmer pointed out that the language of the Agreement was suggestive.

Councilor Kelley reminded the council that the agreement with the Valley Foundation will increase the library budget at the time of operation by \$50,000.00 and that money may aid in meeting the added expenditures.

Councilor Richards said she was unaware how the money from the Foundation would be allocated. Assistant City Manager Linda Hall stated that the Resolution increasing operating funds for the new library was passed before Councilors Stewart, Richards and Lyon were on the council. She further said when that money is received, the increased funds will be part of the budget process where council will decide how the money is used. Councilor Richards was only concerned the City would not be able to meet their obligation with regard to the new agreement.

Councilor Stewart questioned if the agreement had to be signed before reviewing the new budget. City Manager Delphine Palmer said the signature was needed to obtain the funding. Ken Reading said that in another city within the district, Council would

not sign without approval by the board. Mr. Reading suggested we may want to consider the board's approval as an option. Assistant City Manager Linda Hall asked Mr. Reading if the district was not expecting a tax revenue increase. Mr. Reading said he budgeted for a 13% increase.

Letter to Dennis Widmer. Mayor Lewis Key read a letter to recently resigned Councilor Dennis Widmer. This letter was to commend Mr. Widmer for his service on the council.

#### MANAGER'S REPORT

City Manager Delphine Palmer said she was very pleased with the Downtown Merchant's Sidewalk Sale.

Ms. Palmer said that before the next City Council meeting, there would be a ribbon-cutting ceremony at the Waste Water Treatment Plant as Phase II is now finished.

Ms. Palmer reported she had been to a City Manager's Regional Conference and that it was one of the best meetings she had been to. The impact of Initiatives were discussed, which was not encouraging. Some cities reported they were close to bankruptcy. Ms. Palmer then said that she felt good about the City of Milton-Freewater because we have been very conservative with our local budget. In the Police Departments they are getting more certifications and the City Managers are also going to be getting certifications through the City/County Managers Association through testings and course work, which will cover a time span of about four (4) years.

Ms. Palmer is concerned about our School Resource Officer position. Police Chief Mike Gallaher and Ms. Palmer met with Marilyn McBride, Superintendent of School District No. 7, and found that the school district's portion of \$35,000.00 may be reduced to \$7,000.00 during the next fiscal year due to State budget shortfalls. Ms. Palmer is trying to get some Federal monies to help cover expenditures.

Ms. Palmer said Assistant City Manager Linda Hall, Finance Director Dave Richmond and herself have all worked very hard developing the budget-training booklet for the budget training meeting and Ms. Palmer says she is looking forward to the training session and fulfilling the goal of only two (2) budget meetings.

Ms. Palmer said the budget message is longer this year, but she is trying to write the message in a language the average citizen can read and understand budget impacts the City has to overcome. Ms. Palmer is also writing about some of the positive aspects the City is accomplishing.

Ms. Palmer is meeting on Tuesday, April 9<sup>th</sup>, with Martin Davis, Economic Development Director for C.D.P. (Community Development Partnership). Ms. Palmer clarified some newspaper articles, stating that the City has not donated any money at this time for this position. A proposal of \$10,000.00 has been submitted to the council and budget committee for the new fiscal year.

Greg Smith, our State Representative, met with both City Manager Delphine Palmer and Public Works Superintendent Howard Moss. Mr. Smith would like to come to the "Round Table" discussions at least once monthly so our concerns may be heard in Salem.

Ms. Palmer reported to council she would have her six-month evaluation to them at the next meeting.

Ms. Palmer will be doing a class presentation at the high-school for Career Education. The specific question to be addressed is "How Ms. Palmer got into her position."

#### **COUNCIL ANNOUNCEMENTS**

Councilor Saager told City Manager Delphine Palmer that she would enjoy her day at the high school. Councilor Saager further asked, with the consent of the Council, to direct Assistant City Manager Linda Hall to explore and implement a youth student government program from our highschool and actually have an elected student represent their group at the council functions. The student would not have a vote, but would be able to return to their group reporting City activities. Councilor Richards would like to see Hispanic and Senior representation as well. Councilor Saager said there was good representation at the high school.

Councilor Richards said she was at the Merchant's Yard Sale and Ms. Richards would like to thank "Tiny" who coordinated the street cleanup. Ms. Richards would also like to know about the Qwest litigation.

Assistant City Manager Linda Hall reported that for about a year, Qwest has not felt they should pay franchise fees. Oregon League of Cities didn't agree with that decision taking the next step into litigation. Two rulings in the favor of the City have been made in the courts; however, Qwest is slow to pay and have also declared they have had a very bad year financially so the franchise fees they have begun to pay are very low. Ms. Hall said we are not finished yet.

Councilor Stewart asked where we were with the server. City Manager Delphine Palmer said it was still dying, but the new server should be in during the next few weeks because it has been ordered.

Councilor Stewart also announced that the candidates for governor will be in Pendleton some time this month.

There being no further business, the meeting was adjourned at 9:16 p.m.

Lewis S. Key, Mayor

**April 22, 2002**

**The Council of the City of Milton-Freewater met prior to their regular session on Monday, April 22, 2002 at 6:00 p.m. at the Milton-Freewater City Wastewater Treatment Plant on County Road, for a ribbon cutting ceremony. The ceremony was hosted in recognition of the completion of the renovation of the existing plant, which was Phase II in a plan to upgrade the entire waste water system.**

**Present were Mayor Key, Councilors Lyon, Kelley and Stewart. Also present were City Manager Delphine Palmer, Assistant City Manager Linda Hall and Public Works Superintendent Howard Moss. Also present were representatives from Anderson Perry and Associates, the engineering firm for the project, representatives from the General Contractor Mark Hewitt Construction, and a representative each from G.E.O.D.C. and the Department of Environmental Quality.**

**Representing the press was Jeff Durham of the Blue Mountain Pioneer.**

**No citizens were present.**

**After a brief presentation and the cutting of the ribbon, the Council dispersed at 6:15 p.m. due to inclement weather.**

The Council of the City of Milton-Freewater then met in regular session on April 22, 2002 in the council chambers of city hall at 7:00 p.m.

The following members were present: Mayor Lewis Key, Councilors Saager, Lyon, Richards, Kelley and Stewart. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Public Works Superintendent Howard Moss, and Police Chief Mike Gallaher.

Citizens present were Pat Wedin, Merle Sherman, Don Wiggins, Duane Gaines, Vern Rodighiero, Bill Luisi, and others.

Representing the press was Jeff Durham of the Blue Mountain Pioneer.

#### Consent Calendar Items:

Councilor Herb Saager moved to approve the consent calendar and Councilor Debbie Kelley seconded the motion and was passed unanimously.

Mayor Key announced that this was the opportunity for citizens to approach the council.

Eleanor Lytle, 318 Miller, stated several concerns. 1) With garbage cans in the street continually, the street sweeper cannot clean the street and when water is turned on it flows down in front of Ms. Lytle's property. 2) There are speeding cars coming in and out of Mason Grove. Ms. Lytle's concern is that there are small children playing in this area. Ms. Lytle also believes that there needs to be an unmarked police car to solve the problem. 3) There are two barking dogs at night, of which Ms. Lytle has asked neighbors to call the Police Department, but this has not been done for whatever reason. Another dog issue is a large friendly dog allowed to run loose and play with the children, but Ms. Lytle believes there is a Leash-law here in Milton-Freewater. 4) There is a basketball hoop in the driveway of a resident on Miller Street, but the kids have to play out in the street. 5) With the way drivers stop at the stop sign, there may as well not be a stop sign up there.

#### OLD BUSINESS:

Consideration of Location of Proposed Skate Park. Superintendent of Public Works, Howard Moss said it was felt that citizens would voice their concerns at the Recreation Committee meeting held on April 16<sup>th</sup>. That didn't happen as thought and it is the consensus of the Recreation Committee and the Skate Park Sub-committee and city staff that the proposed Skate Park be located on the East side of Freewater Park. The group no longer wants to pursue temporary structures and hopefully the City will be able to budget the \$10,000.00 and then apply for grants to finish the facility sometime next year.

Councilor Saager asked if council adopted the budget, the \$10,000.00 would be left in this year. Mr. Moss clarified that the \$10,000.00 would be budgeted in FYE 2003.

Councilor Saager also asked specifically where the location would be and Mr. Moss said on Robbins Street, that he had asked the Pastor for some input about the location and he did comment.

Councilor Stewart asked if residents in the area have voiced any concerns. Mr. Moss said he hadn't heard from any residents in the area, only from the church. Patrons of the church are mixed and there are a couple of City employees which are members of the church that have given information both in support and not in support. Mr. Moss further added he felt the church was in support as long as it wasn't in the tennis

court. The residents have not been surveyed, but it was well outlined that this was a place not used to its full capacity, had on-street parking, restrooms, and owned by the public, which conditions need to be in place for a grantsmanship.

Councilor Richards wanted to take advantage of Brad Humbert's offer to donate labor for the building of the Skate Park facility. Mr. Moss said discussion has not taken place as of yet for Mr. Humbert to build the Skate Park facility, but would be seriously considered. Councilor Richards only wanted to know if his donation of labor would be considered an "in-kind" match of funds in the grant process. Mr. Moss said yes.

Councilor Kelley asked if Brad Humbert's deal was to donate labor for the building of the Skate Park along with City support for restrooms. Mr. Moss said he did not see it this way. That the restrooms by the baseball fields was a different entity from the Skate Park. Councilor Kelley just wanted to clarify any confusion, that the City did not intend to build restrooms in Freewater Park where restrooms already exist.

Councilor Stewart asked if Council approved the location of the Skate Park, if they would later be in a position to approve an upgrade of the existing restrooms. Howard Moss said the restrooms were good, solid facilities.

Councilor Richards asked if there would be any formal notification sent out to the neighbors to inform them of the consideration. Mr. Moss said Council can certainly direct this action, but that with all the previous publicity he felt it should have reached most of the entire community, but if directed we would send out a formal notification.

Councilor Richards stated how much she appreciated personal notification as a busy person whenever there were zone changes or any action and that considering the noise and activity level that will affect their neighborhood, she felt they should be notified as a courtesy.

Councilor Lyon asked Mr. Moss how close he perceived this Skate Park to be next to the homes. The home on the NE corner and North side of Robbins street may be seventy-five (75) feet from the Park.

Councilor Kelly stated that publications in three (3) newspapers have already been done for the Recreation Committee and there have been discussion in Council Chambers as well. Her consensus is to move forward.

Councilor Saager said he had an employee that lived in the neighborhood where the proposed Skate Park may be located, and would be glad to ask him to speak with his neighbors. Mayor Key suggested a sign to announce the proposed site of the Skate Park. Councilor Richards said most residents in this area are largely Hispanic and suggested the sign in both languages.

Councilor Kelley motioned to located the proposed Skateboard Park on the East side of the Freewater Park on the Robbins Street side. Councilor Richards seconded the motion. The motion was passed unanimously.

#### NEW BUSINESS:

Public Hearing, Findings and Ordinance No. 902. Amending Comprehensive Plan for a Parcel located on 424 N.E. 8<sup>th</sup> from R-3 to C-1.

Mayor Lewis Key opened the hearing and read the directive reviewing responsibilities and procedures to both Council and Residents for the purpose of obtaining citizen input to amend the Comprehensive Plan from residential to commercial for property located at 424 NE 8th.



No Ex Parte contact was declared.

Mayor Key asked if Notice of Hearing had been published. Assistant City Manager Linda Hall stated that this had been done. Mayor Key asked if there had been any written comments. Ms. Hall said there were none.

City Planner, Gina Hartzheim, then gave a staff report. Ms. Hartzheim said this was the first of two hearings involving the property at 424 NE 8<sup>th</sup>. The hearing tonight relates to a comprehensive plan mapping change amendment, changing the parcel from residential to commercial. The property in question tonight is bordered by one industrial-type use and the rest is a residential-type designation. The applicant has been marketing their property after outgrowing their existing facility. They have acquired property on Lamb Street, but they need to market their first facility. The property is well suited to commercial use. The Planning Commission recommendation unanimously was to amend this Ordinance.

Mayor Key announced that Council would now hear from the applicant.

Howard Russell, 89 Powell Rd, addressed Council encouraging them to amend the Comprehensive Plan and adopt this Ordinance. They have to use the neighbor's area for parking due to business growth, but feels this could only be a temporary solution.

Mayor Key asked to hear from those in support.

Marge Roff of Roff Real Estate, has been working with Dr. Gottschall (co-applicant) for approximately two (2) years to find a location for his dental practice. This building is large enough for him to remodel. It's low-density traffic and as such encouraged the Council to act in favor.

Councilor Richards needed clarification, stating Richards and Lee's was Commercially zoned, the church is zoned residential which Council is being asked to convert to Commercial. Gina Hartzheim, City Planner, said that Richards and Lee's would keep their industrial zone and the church is asking for a change from residential to commercial.

Councilor Kelley stated that when she was on Council 2-3 years previously, the zone had been changed to provide access for a senior-housing development. The idea at that time was to make everything the same zone along this area as the City has a lot of "spot zoning." Gina Hartzheim reiterated that she did not champion "spot zoning", but each change is held on their own merits.

Mayor Key asked to hear from those in opposition. Nobody addressed the Council.

Mayor Lewis Key declared the hearing closed.

Councilor Saager motioned to Adopt Findings of Fact. Councilor Stewart seconded the motion and it was passed unanimously.

Councilor Saager moved Ordinance No. 902, be introduced and full reading waived.

Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by title. Councilor Kelley moved to adopt Ordinance No. 902 by title only and full reading waived. Councilor Richards seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Saager moved to adopt Ordinance No. 902, Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea and Councilor Kelley, yea.

Public Hearing, Findings and Ordinance No. 903. Amending the Zoning Map for a Parcel located on 424 SE 8<sup>th</sup> from R03 to C-1.

Mayor Lewis Key opened the hearing and read the directive reviewing responsibilities and procedures to both Council and Residents for the purpose of obtaining citizen input to amend the Zoning Map for property located at 424 NE 8<sup>th</sup> from R-3 to C-1. No Ex Parte contact was declared.

Mayor Key asked if Notice of Hearing had been published. Assistant City Manager Linda Hall stated that this had been done. Mayor Key asked if there had been any written comments. Ms. Hall said there were none.

City Planner, Gina Hartzheim, then gave a staff report. Ms. Hartzheim said this was second hearing relating to the property at 424 NE 8<sup>th</sup>. Ms. Hartzheim stated the City only has two commercial zones, C-1 and C-2, but that C-2 is a much heavier commercial zone. At the Planning Commission meeting there wasn't any opposition expressed and recommends the amendment to change zoning from R-3 to C-1.

Mayor Key announced that Council would now hear from the applicant.

Howard Russell, 89 Powell Rd, addressed Council encouraging them to amend the Zoning Map and adopt this Ordinance.

Mayor Key asked to hear from those in support.

Marge Roff of Roff Real Estate, encouraged amendment to the Council so that the building may be used for a dentist office, with low impact on traffic.

Mayor Key asked to hear from those in opposition. Nobody addressed the Council.

Mayor Lewis Key declared the hearing closed.

Councilor Saager motioned to Adopt Findings of Fact. Councilor Kelley seconded the motion and it was passed unanimously.

Councilor Saager moved Ordinance No. 903, be introduced and full reading waived.

Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by title. Councilor Kelley moved to adopt Ordinance No. 903 by title only and full reading waived. Councilor Richards seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Saager moved to adopt Ordinance No. 903, Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea and Councilor Kelley, yea.

Ordinance No. 904 Amending City Code Section 6-1-9 and 6-1-12 Regarding Open Burning.

Faron Reynolds, Fire Chief, addressed Council suggesting that burn-barrel burning within the city limits should be banned. With the current recycling program and weekly garbage pick-ups, it is felt that this type of burning is unappreciated. The other ban would be a seasonal open-burning ban from June 15<sup>th</sup> through September 30<sup>th</sup> within the city limits. These are hot and dry times during the year. From October 1<sup>st</sup> through June 14<sup>th</sup>, citizens would be able to obtain the normal burn permits, but during this seasonal time, burning would be banned.

Councilor Kelley asked what the consequences would be if a citizen burned during the proposed time period. Chief Reynolds said that currently there were not any consequences in policy for this action. Assistant City Manager Linda Hall stated that

with any of the City's codes that does not have a provision, it is sited as a misdemeanor. Chief Reynolds also said that this amendment is more for education and to make the City a safer place.

Councilor Saager commended Chief Reynolds for his job performance and further stated he wanted to ban burn-barrel burning within the city limits, but would like to postpone the open-burning ban and revisit this portion a year from now.

Chief Reynolds has had numerous complaints regarding burn-barrels, but has not had any written policy support to end the matters. His only avenue of action was to speak with those who were burning.

Councilor Stewart said there was a recycling program in the City and that citizens should request containers if necessary.

Councilor Saager said that there are some citizens that don't take to change well, and they have burned for so many years, it's difficult now to recycle.

Bill Luisi, 1203 Elzora Street, addressed Council saying he disagreed with Councilor Saager regarding open-burning. Mr. Luisi said leaves were burned in his neighborhood, which fills his air with smoke and therefore believes open-burning should be banned.

Councilor Saager stated this policy would not keep Mr. Luisi's neighbor from burning.

Vern Rodighiero, 83903 N. Main, and as a member of the County Smoke Management group, the County has phone numbers to call to get permission to burn year-round.

Mr. Rodighiero said he felt that the City was going to add another layer of bureaucracy to burning and he is against the idea of a open-burning ban. Mr.

Rodighiero further suggested that more work should be done on this Ordinance before passing and to have a permit program with either the Police or Fire Departments to have permit-burning during the proposed time of banning.

Sam Humbert, 416 S. Elizabeth. Mr. Humbert asked about the patio chimneys that wood logs are used for fuel. Would these be considered barrels? Councilor Saager said they would be considered barrels and that they would be considered illegal. Mr.

Humbert suggested specified wording then within the Ordinance. Mr. Humbert also suggested a permit system. Mr. Humbert further said he supported Chief Reynolds regarding open-burning during the prescribed months as they are dry and can be hazardous, but the wording needs to be specific and address patio chimneys and fireplaces.

Mike Onstot, salvage yard, had two questions. The railroad always argues about their weed responsibility and after June 15<sup>th</sup> these weeds along the railroad are usually burned. Also, Mr. Onstot and his neighbors have built a pit which they get together with several people and cook. Will this be illegal? Chief Reynolds said this Ordinance was not intended to regulate backyard barbeques, but instead to regulate trash removal and burning of debris. The patio chimneys would be considered an open burn.

Assistant City Manager Linda Hall stated that Council could make an exception to the Ordinance. That if they only wanted a portion of the Ordinance they could.

Councilor Saager moved to adopt Ordinance No. 904 only to the extent of burn-barrel burning. This would include garbage burn-barrels only.

Councilor Saager moved Ordinance No. 904, be introduced and full reading waived.

Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by

title. Councilor Richards moved to adopt Ordinance No. 903 by title only and full reading waived. Councilor Lyon seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Richards moved to adopt Ordinance No. 904, Councilor Stewart seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea and Councilor Kelley, no.

Councilor Kelley wanted to have defined open-burning versus burn-barrel burning. Councilor Saager said that when he has ever received permission to burn, that he has been asked previously what it is that he is burning. A complaint may be made if someone's burning is offensive. Councilor Kelley feels that barrel-burning and open-burning is all the same.

Resolution No. 1881. Setting Policy for Reservations of City Park Picnic Shelters and Bandshell.

Superintendent of Public Works, Howard Moss, addressed the Council stating that currently the City does not have a policy in place to reserve any of our shelters. This lack of policy has caused some disturbance in the past as people are just told to go early in the morning and be present at the facility, but that the City can't reserve it because the City doesn't have a policy in place. The Resolution proposes that citizens may reserve the shelters, including the shelter at Marie Dorian and also the shelter now at Yantis Park, which we would also like to propose naming this shelter "J.T. Monohan Shelter" in honor of his civic leadership. By policy this could be accomplished by filling out an application and depositing \$25.00. For commercial use, the City will ask for a \$100.00 fee as well as a \$25.00 deposit. The Policy outlines all the rules and regulations of the park facilities.

Councilor Stewart asked if there would be any liability insurance required by anyone using the facilities. Mr. Moss said there would not be any requirement for liability insurance, but there is a default clause in the agreement.

Councilor Kelley asked if the facility could be used without contacting the City if the facility was not being used. Mr. Moss said that people could, but they would not have access to hot water or the refrigerator. This could be done without charge.

Councilor Saager asked about the line-item which states that Commercial use could not include any profitable events. He then asked about the Chamber Corn Roast and Mr. Moss stated that this event fell under the Bandshell agreement.

Councilor Kelley asked about Class Reunions. Mr. Moss said he would classify them as a private citizen, not as a commercial entity.

Councilor Richards stated she was very pleased with this resolution and that people be notified to come early and stay late and problems should be reduced.

Don Wiggins of Walla Walla, Washington asked about keys issued separately for the North and South side of the shelter at Yantis Park and if this would create some confusion as to the return of keys and deposits. Mr. Moss said there the locks were padlocks and keys were easily replaced. The City would also have a secure key.

Councilor Stewart asked if the rules and regulations would be posted. Mr. Moss said that individuals would be given a copy of the regulations along with the application.

Councilor Stewart asked if the regulations would also be posted on the shelters. Mr. Moss said they would develop an attractive presentation to inform potential users of the facility. Councilor Stewart asked if there would be a sign recognizing J.T.

Monohan. Mr. Moss said there would be a sign to name the shelter and also to distinguish between the North and South usage.

Councilor Richards moved to adopt Resolution No. 1881, Setting Policy for Reservations of City Park Picnic Shelters and Bandshell, which includes naming the new shelter the "J.T. Monohan Memorial Shelter". Councilor Kelley seconded the motion and it passed unanimously.

Resolution No. 1882, Prohibiting Parking on the 600 Block of College Street.

Police Chief Mike Gallaher told Council this was originally proposed by his Sergeant Darrin Richman and that he, Chief Gallaher, endorsed the proposal. Currently, there isn't any parking policy on College Street from SW 6<sup>th</sup> Street where it intersects with Davis Street and on up the hill. There is no provision for parking and there also isn't any room for parking in this area, but it's not clearly marked "No Parking". Every year the City has a problem with parking particularly during the Muddy Frogwater Festival. The proposal is to restrict parking on College Street from SW 6<sup>th</sup> to Locust Street. Councilor Saager asked if Chief Gallaher had spoken with residents Mr. Olson or Dr. Fleming and if they had any comments about the parking problem. Chief Gallaher said he had not spoken with them.

Councilor Stewart asked if this proposal went to the corner of Locust or stopped short down hill. Chief Gallaher said the proposal went from SW 6<sup>th</sup> to the corner of Locust Street.

Merle Sherman, 716 Pierce, stated that College Street has parking on one side from Locust Street to SW 8<sup>th</sup> Street. Mr. Sherman further mentioned the street was the same width throughout. Visibility was in question due to the hill, but Mr. Sherman stated that visibility was the same throughout with hills on both ends.

Assistant City Manager Linda Hall stated that from the perspective of staff, parking in this area is a safety issue, that it may be an inconvenience, but staff's job is to take care of their citizens first.

Councilor Stewart stated that he would like to have one-side parking on the resident side by Mr. Olson's home, but perhaps restrict parking on the guardrail side. Chief Gallaher stated he felt that may be possible.

Councilor Saager moved to adopt Resolution No. 1882, but to allow Public Works Superintendent Howard Moss and Police Chief Mike Gallaher to determine where the restricted parking starts and stops. Councilor Stewart seconded and the motion was passed unanimously.

Ordinance No. 905 Amending City Code Section 5-6-27 regarding Electric Regulations.

Electric Superintendent Mike Charlo addressed the Council explaining the current code is brief and the proposal details regulations regarding motor starting loads.

Councilor Stewart asked if the proposed Ordinance regulated the size of motor installed. Mr. Charlo said no it did not regulate size. Mr. Charlo further explained the proposal only regulated the inrush current a motor can draw when the motor starts. Councilor Saager asked if this would affect the pumps already in existence. Mr. Charlo stated that anything in existence has already been dealt with. Councilor Saager further asked if the cost would double. Mr. Charlo said that PGG said there would be an increase of \$100.00 or more, but the price would not be doubled.

Councilor Richards moved Ordinance No. 905, be introduced and full reading waived. Councilor Saager seconded and a roll call vote was taken: Councilor Saager, yea,

Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by title. Councilor Kelley moved to adopt Ordinance No. 905 by title only and full reading waived. Councilor Richards seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Saager moved to adopt Ordinance No. 905, Councilor Richards seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Richards, yea, Councilor Stewart, yea and Councilor Kelley, yes.

#### MANAGER'S REPORT

City Manager Delphine Palmer reminded everyone that May 1<sup>st</sup> was the last day for voter registration for those who want to vote in the primary. Any change of name or address needs to be done before that day as well.

The staff felt that budget training went well. Ms. Palmer felt it was beneficial and enjoyed getting together with the whole group. Ms. Palmer further said that she enjoyed the event and she knew that Assistant City Manager Linda Hall and Finance Director Dave Richmond both enjoyed it as well.

Ms. Palmer said that this week the City was putting together the preliminary budget books and those will be ready for everyone next week. Assistant City Manager Linda Hall clarified stating budget books would be available to Council on April 25<sup>th</sup> and there would be copies on display in the Library and City Hall.

Ms. Palmer reported on the School Resource Officer, saying that Mike Watkins, Grant Coordinator, has been working with ESD, trying everything to make up the \$25,000.00 that the School District is short for that position. Mike Watkins met with the Superintendent to see if there was any drug and alcohol money available.

Ms. Palmer stated there had been some discussion in staff meeting to provide training for all staff. They would like Chief Gallaher to instruct on Violence in the Workplace to all staff and perhaps the City Council as well. We're looking at some safety and security issues, addressing some concerns.

Ms. Palmer reported on the Founder's Day Celebration, saying that they really did not have the money to have the event catered, but that they decided to have a barbeque and do it themselves. Ms. Palmer asked if Council members would like to volunteer serving and/or barbequing.

Ms. Palmer said that she spoke with Brian Traylor, Principle at Grove School and if we would like to volunteer reading to the children they will schedule it. Also, the books are in the school library which is open during the morning.

Ms. Palmer reported there had been some questions as to the residency policy. Ms. Palmer said she would review the policy and get this information to Council for the next meeting.

Ms. Palmer said that there had been comments about the flag flying out front and with the library construction getting close, it is thought to get a large pole and let the flag fly further out front.

Department Head update was by Chief Mike Gallaher. Chief Gallaher reported about our School Resource Officer Program.

#### COUNCIL ANNOUNCEMENTS

Councilor Saager asked for an update on the two middle-aged women who were hit while on bicycles within a one-month period. Councilor Saager would like to check into bicycle ordinances to determine if something could be done. With bicycles reaching higher speeds, hazardous conditions arise.

Councilor Saager extended a warm thanks to City Manager Delphine Palmer, Assistant City Manager Linda Hall, Finance Director Dave Richmond and Public Works Superintendent Howard Moss for the budget training session and tour.

Councilor Kelley stated on behalf of our After-school programing through Horizon and I.S. Council representatives from the Healthy Communities Help the Youth Board will be making a presentation for funds to the United Way in Pendleton next Wednesday. Grant dollars have been lost and Councilor Kelley further said that the After-school Program is in need of \$36,000.00 from United Way to help replace grants that are no longer in existence.

Councilor Stewart asked if there was any further information on Orchard Homes.

Assistant City Manager Linda Hall said the tax status was in the County's hands.

There being no further business, the meeting was adjourned at 9:10 p.m.

Lewis Key, Mayor